

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES OF AMERICA

-against-

Thomas Earl Little II,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
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24 Cr. 452 (AT)

ORDER

In anticipation of the Court’s evidentiary hearing regarding Defendant’s alleged violation of supervised release, Defendant, by letter dated January 17, 2025 (the “Letter”), requests to (1) have his specifications “screened by a grand jury;” (2) “be tried before a 12-person jury;” and (3) “have any allegations against him proven beyond a reasonable doubt or by another standard higher than preponderance of the evidence.” Letter at 1, ECF No. 29.

As Defendant concedes in the Letter, the arguments underlying his requests are foreclosed by this Circuit’s precedent. *See United States v. Peguero*, 34 F.4th 143 (2d Cir. 2022); *United States v. Doka*, 955 F.3d 290 (2d Cir. 2020). Indeed, this Circuit has “repeatedly held that certain constitutional protections, such as the right to a grand jury indictment for a felony offense, the right to hold the government to a burden of proof beyond a reasonable doubt, the right to confront adverse witnesses, and the right to a jury trial, do not attach to supervised release hearings in the same way that they do to criminal prosecutions.” *Peguero*, 34 F.4th at 157 (collecting cases). Accordingly, for the reasons set forth in *Peguero* and *Doka*, Defendant’s requests are DENIED.

The Clerk of Court is respectfully directed to terminate the motion at ECF No. 29.

SO ORDERED.

Dated: January 23, 2025
New York, New York



ANALISA TORRES
United States District Judge